



Marine Notice No. 20 of 2010

NOTICE TO ALL SHIPOWNERS, FISHING VESSEL OWNERS, AGENTS, SHIPMASTERS, PASSENGER SHIP MASTERS, SKIPPERS, FISHERMEN, YACHTSMEN AND SEAFARERS

Marpol Annex VI amendments (Air Pollution)

Background

The International Maritime Organisation (IMO) Marpol Annex VI regulates air pollutant emissions from ships trading internationally. Marpol Annex VI entered into force internationally on the 19th May 2005. Amendments to Annex VI and the new NOx Technical Code 2008 have been accepted internationally and entered into force on 01 July 2010.

Irish legislation implementing Marpol Annex VI amendments and the Code 2008 also entered into force on 01 July 2010.

It should be noted that within the EU, there is further legislation, Council Directive 1999/32/EC and its amending Directive 2005/33/EC that regulates the sulphur content of marine fuel oils and marine gas oils. These directives are implemented in Irish law by S.I. 119 of 2008 (see Marine Notice 17 of 2010).

Ireland's legislation

The Sea Pollution (Prevention of Air Pollution from Ships) Regulations 2010, S.I. 313 of 2010 brings the Marpol Annex VI amendments and NOx Technical Code 2008 into force in Irish law on 01 July 2010 and revokes existing regulations S.I. 728/2007.

All those concerned with shipping and the supply of marine fuel oil should be aware of and fully implement the requirements of these Regulations.

Summary of changes in regulations

From the 01 July 2010, important changes enter into force affecting shipping trading in the North Sea and Baltic Emissions Control Areas (ECAs). {These areas were originally known in previous version of Annex VI as SOx Emission Control Areas (SECAs)}. The maximum sulphur content of fuel oils for use within ECAs is reduced from 1.5% to 1% on 01 July 2010. This limit will be further reduced to 0.1% from 01 January 2015.

It is expected that an application for a new ECA will be approved by the International Maritime Organisation (IMO) to enter into force during 2011. This ECA will extend to 200 nautical miles from the coasts of Canada and the USA.

New and existing ECAs may be designated as control areas for SOx or NOx or PM or any combination of the three (PM emission is closely related to sulphur content of fuel so they will normally be linked).

Outside ECAs the sulphur in fuel limit remains at 4.5% until 01 January 2012. After this date the limit will be 3.5% until 01 January 2020 when it will reduce to 0.5%.

NOx limits are also reducing. The present limit for new ships (Tier I) will apply up till 01 January 2011. Tier II limits will then apply to all new ships until 01 January 2016. Tier III limits will apply to new ships built on or after 01 January 2016. Overall the reduction in NOx emissions is about 80%. Vessel operators should also be aware that Tier I applies retrospectively to those ships built after 01/01/1990 with engines of greater than 5000 kW and per cylinder displacement of greater or equal to 90 ltrs.

Bunker fuel oil suppliers

Bunker fuel suppliers are hereby notified that they must comply fully with the requirements of these Regulations and in particular the requirements of Regulation 17.

Bunker fuel suppliers in the State are further reminded that it is a requirement to register with the Sustainable Energy Authority of Ireland (SEAI) and provide certain information annually to SEAI in order to comply with S.I. 119 of 2008, Regulation 8 (3) and 8 (4). Contact details for SEAI are given at end of this notice.

Vessel records

Vessels operators are reminded to maintain adequate records of fuel changeover operations for compliance with these Regulations. Bunker delivery notes containing, at minimum the information set out in appendix V of Annex VI, must be kept for inspection for a period of three years and bunker samples must be correctly labelled and stored and kept on board for a period of one year.

Additionally, there is a requirement for an *ozone-depleting substances record book* or equivalent. This book is for recording operations on board ship which concern ozone depleting substances, such as re-charging or replacement of AC or fridge plant which still contain those substances listed in Annexes A,B,C, and E of the Montreal Protocol.

Since most of the listed substances are no longer allowed on Irish ships due to EU and Irish legislation, the amount of recording required will be small. The Marine Survey Office (MSO) will allow the recording required by Regulation 12.7 of Marpol Annex VI to be done in the official engineroom logbook. For clarity of compliance, MSO advises that if there are no operations to record, a “nil” recording should be made.

Alternatively, the recording may be done and stored in electronic form – vessel operators wishing to do the recording in this way should make a submission to MSO for approval of methodology.

Compliance

Vessel operators are strongly encouraged to obtain a copy of “Revised Marpol Annex VI and NOx Technical Code 2008” 2009 Edition from the IMO (ISBN: 978-92-801-4243-3).

Non-compliance with the requirements of this legislation may result in detention of vessels under Port State Control or prosecution or both.

Marine fuel suppliers should provide details for the **Marine Fuel Supply Register** and annual returns to SEAI as detailed below. Templates for both can be downloaded from the SEAI website at :-

http://www.seai.ie/Publications/Statistics_Publications/Marine_Fuel_Register

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For any technical assistance in relation to this Marine Notice please contact
The Marine Survey Office, Leeson Lane, Dublin 2., tel: +353 1 678 3400
For information in relation to technical specification/type approval of radio equipment
contact the Radio Surveyors, tel: +353 1 678 2363/2364/2365/2367.
For general enquiries please contact the Maritime Safety Division tel: +353-1-678 3418
Any enquiries concerning Marine Notices should be addressed to:
Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin 2
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